

Joshua A. Sussberg, P.C.

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)

Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)

Christopher S. Koenig

Dan Latona (admitted *pro hac vice*)

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

333 West Wolf Point Plaza

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Counsel to the Post-Effective Date Debtors

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, *et al.*,¹

Post-Effective Date Debtors.

)
) Chapter 11
)
) Case No. 22-10964 (MG)
)
) (Jointly Administered)
)

**AMENDED² AGENDA FOR HEARING TO BE HELD
SEPTEMBER 12, 2024, AT 2:00 P.M. (PREVAILING EASTERN TIME)**

**Time and Date of
Hearing:**

**September 12, 2024, at 2:00 p.m. (prevailing Eastern Time)
(the “Hearing”)**

Location of Hearing:

The Honorable Chief Judge Martin Glenn
United States Bankruptcy Court for the
Southern District of New York
Alexander Hamilton U.S. Custom House
One Bowling Green, Courtroom No. 523
New York, New York 10004

¹ The Post-Effective Date Debtors in these chapter 11 cases, along with the last four digits of each Post-Effective Date Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Post-Effective Date Debtor Celsius Network LLC’s principal place of business and the Post-Effective Date Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

² Amended items appear in bold.

Hearing Attendance
Instructions:

In accordance with General Order M-618 (“General Order M-618”), dated September 26, 2023, the Hearing will only be conducted using Zoom for Government. Parties wishing to appear at the Hearing, whether making a “live” or “listen only” appearance before the Court, need to make an electronic appearance through the Court’s website at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl> **on or before 4:00 p.m. (prevailing Eastern Time) on September 11, 2024.**

No testimony is expected during the Hearing. With the permission of the Court, the public, including members of the media, may dial-in to listen to the Hearing remotely using the audio platform made available by the Court. Any person or entity that is permitted to dial-in to the hearing by using the audio platform made available by the Court must register their appearance in the Electronic Appearance portal located on the Court’s website at: <http://www.nysb.uscourts.gov/ecourt-appearances>. Appearances must be entered no later than **4:00 p.m., prevailing Eastern Time, the business day before the Hearing (i.e., on September 11, 2024).**

Copies of Motions:

A copy of each pleading may be obtained free of charge by visiting the website of Stretto at <https://cases.stretto.com/Celsius>. You may also obtain copies of any pleadings by visiting the Court’s website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

I. Status Update on Distributions.

1. Related Documents:

- (1) **Notice of Filing of September 12, 2024 Hearing Presentation [Docket No. 7676.**

II. Status Update on Preference Settlements.

III. Uncontested Matters.

1. **Motion to Seal.** Post-Effective Date Debtors’ Motion for Entry of an Order Authorizing the Post-Effective Date Debtors to Redact and File Under Seal Certain Confidential Terms of the Supplemental Coinbase Agreement [Docket No. 7659].

Objection Deadline: The deadline to object was September 5, 2024, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- (1) Joint Motion Seeking Entry of an Order (I) Authorizing Supplemental Distribution to Eligible Corporate Creditors, (II) Approving Procedures for Supplemental Corporate Creditor Distributions, and (III) Granting Related Relief [Docket No. 7661].

Status: This matter is going forward.

IV. Contested Matters.

1. **Joint Motion for Supplemental Corporate Creditor Distribution.** Joint Motion Seeking Entry of an Order (I) Authorizing Supplemental Distribution to Eligible Corporate Creditors, (II) Approving Procedures for Supplemental Corporate Creditor Distributions, and (III) Granting Related Relief [Docket No. 7661].

Objection Deadline: The deadline to object was September 5, 2024, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- (1) Amended Objection of Sean Xue to Motion (ECF 7661) [Docket No. 7666].³
- (2) United States Trustee's Objection and Request for Clarification [Docket No. 7667].

Related Documents:

- (1) Joint Status Report of the Post-Effective Date Debtors, the Litigation Administrator and the Ad Hoc Committee of Corporate Creditors [Docket No. 7585].
- (2) Statement of the United States Trustee [Docket No. 7587].
- (3) Joint Stipulation and Agreed Order Between the Post-Effective Date Debtors, Coinbase, the Litigation Administrator, and the Ad Hoc Committee of Corporate Creditors for Appointment of a Mediator [Docket No. 7588].
- (4) Notice of Mediation Regarding Corporate Creditor Motion [Docket No. 7592].
- (5) Post-Effective Date Debtors' Motion for Entry of an Order Authorizing the Post-Effective Date Debtors to Redact and File Under Seal Certain

³ Sean Xue's initial *Objection to Motion (ECF 7661)* was filed at Docket No. 7665.

Confidential Terms of the Supplemental Coinbase Agreement [Docket No. 7659].

- (6) Post-Effective Date Debtors' Statement Relating to Selection of Coinbase and Determination of the 100 Corporate Creditor Limit for Liquid Cryptocurrency Distributions [Docket No. 7660].
- (7) Statement Relating to the Selection of Coinbase as Distribution Agent for Liquid Cryptocurrency to Corporate and International Creditors [Docket No. 7662].
- (8) Mediator's Final Report [Docket No. 7673].
- (9) **Notice of Filing of Revised Proposed Order (I) Authorizing Supplemental Distribution to Eligible Corporate Creditors (II) Approving Procedures for Supplemental Corporate Distributions, and (III) Granting Related Relief [Docket No. 7675].**
- (10) **Post-Effective Date Debtors' Reply in Support of the Joint Motion Seeking Entry of an Order (I) Authorizing Supplemental Distribution to Eligible Corporate Creditors, (II) Approving Procedures for Supplemental Corporate Creditor Distributions, and (III) Granting Related Relief [Docket No. 7677].**

Status: This matter is going forward.

2. **Motion for Further Distribution.** Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for the Faller Creditors and (II) Granting Related Relief [Docket No. 4911].

Objection Deadline: The deadline to object was June 20, 2024, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- (1) Post-Effective Date Debtors' Omnibus Objection to the Faller Creditors' (I) Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Motion for Discovery to Support Claims Made by Post-Effective Date Debtors in Regards to Equitable Treatment of Corporate Creditors [Docket No. 4974].
- (2) Post-Effective Date Debtors' (I) Supplemental Objection to the Faller Creditors' Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Objection to the Ad Hoc Group of Australian Corporate Creditors' Motion for a Liquid Cryptocurrency Distribution [Docket No. 7535].

Related Documents:

- (1) Motion for Discovery to Support Claims Made by Post-Effective Date Debtors in Regards to Equitable Treatment of Corporate Creditors [Docket No. 4866].
- (2) Affidavit of Laura Faller McNeil in Support of Faller Creditors' Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4912].
- (3) Declaration of Jeremy Tilsner in Support of the Post-Effective Date Debtors' Omnibus Objection to the Faller Creditors' (I) Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Motion for Discovery to Support Claims Made by Post-Effective Date Debtors in Regards to Equitable Treatment of Corporate Creditors [Docket No. 4976].
- (4) Declaration of Christopher Ferraro, Plan Administrator, in Support of Post-Effective Date Debtors' (I) Supplemental Objection to the Faller Creditors' Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Objection to the Ad Hoc Group of Australian Corporate Creditors' Motion for a Liquid Cryptocurrency Distribution [Docket No. 7536].
- (5) Declaration of Robert Campagna in Support of the Post-Effective Date Debtors' Supplemental Objection to the Faller Creditors' Motion Seeking Entry of an Order (I) Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Granting Related Relief [Docket No. 7537].
- (6) Declaration of Roger Bartlett in Support of the Post-Effective Date Debtors' Objection to the Motion Seeking Entry of an Order (I) Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Granting Related Relief [Docket No. 7538].
- (7) Reply to Debtor's Supplemental Objection to the Faller Creditor's Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for the Faller Creditors and (II) Granting Related Relief [Docket No. 7551].

Joinders:

- (1) Joinder of Clypeum, Inc. in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4916].

- (2) Joinder of Jinwes LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4917].
- (3) Joinder of Jones Asset Protection Trust in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4918].
- (4) Joinder of VP Investments & Assets LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4919].
- (5) Joinder of Jukes Property Solutions Limited in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4920].
- (6) Joinder of VP Investments & Assets LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4921].
- (7) Joinder of Siddhartha Super Pty Ltd ATF Colagiuri Superfund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4922].
- (8) Joinder of Get Streamlined Limited / James Matthews in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4923].
- (9) Joinder of PR Crypto Fund-I LP in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4928].
- (10) Joinder of Ibertrade Representaciones SL in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4929].
- (11) Joinder of E & KL Murphy Superfund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4934].

- (12) Joinder of Racecenter Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4935].
- (13) Joinder of DLS Memorial LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4938].
- (14) Joinder of Mvozzo Super Pty. Ltd. in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4939].
- (15) Joinder of Digitaurs Pty Ltd ATF Vann Family Superannuation Fund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4940].
- (16) Joinder of Masens Super Fund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4944].
- (17) Joinder of Good Forrest Super Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4945].
- (18) Joinder of the Trustee for Simba Discretionary Trust in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4946].
- (19) Joinder of Karma Organization LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4947].
- (20) Joinder of Art_Rod_LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4950].
- (21) Joinder of Paule Bennett Family Super Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4952].
- (22) Joinder of Deka Andres Ependyoun International Incorporated in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4953].

- (23) Joinder of Wilks SMSF Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4954].
- (24) Amended Joinder of Mvozzo Super Pty. Ltd. in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4956].
- (25) Joinder of Cvolchko RD LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4958].
- (26) Joinder of Craig Volchko 401k in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4959].
- (27) Joinder of JDW Investment Trust in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4961].
- (28) Joinder of Luke Orr Family Super Fund Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4963].
- (29) Joinder of Dungey Family Super Fund Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4964].
- (30) Joinder of Hermoso Capital Fund LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4966].
- (31) Joinder of Hermoso Capital Investments LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4967].
- (32) Joinder of Project Influencers Capital LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4968].
- (33) Joinder of Hermoso Capital Fund LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of

Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4971].

- (34) Joinder of Hermoso Capital Investments LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4972].
- (35) Amended Joinder as a Result of Wire Transfer Being Reversed Five (5) Days Later. Mvozzo Super Pty. Ltd. in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4985].
- (36) Joinder of Joseph Sullivan and Xshabadux Investments LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 4986].
- (37) Joinder of Oehme Family Super Pty Ltd Atf Oehme Family Superfund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 5194].
- (38) Joinder of Illume Capital Pty Ltd in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 5195].
- (39) Joinder of Flavell Pty Ltd the Trustee for H Flavell Super Fund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 5196].
- (40) Joinder of Masens Super Fund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 5197].
- (41) Joinder of Steinberger Pty Ltd Cetin Investments Super Fund in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and (II) Granting Related Relief [Docket No. 5594].
- (42) Joinder of Teachers 2 Teachers LLC in Support of Motion Seeking Entry of an Order (I) Approving Further Distribution Under Plan of Reorganization for Corporate Creditors and Granting Related Relief [Docket No. 6569].

- (43) Motion of Get Streamlined Limited to Allow for Fair and Equitable Distributions for All Corporate Creditors of the Same Class [Docket No. 7575].

Status: The Joint Motion for Supplemental Corporate Creditor Distribution proposes to resolve this matter.

3. **Motion of Australian Corporate Creditors.** Motion to Direct Celsius to Issue Australian Corporate Creditors with Bitcoin (BTC) and Ether (ETH), not USD Cash, for those who Remain Unpaid their Distributions in the Amounts of Cryptocurrency that they Would Have Received for their Claims as at the 15 January 2024 Prices Fixed by Celsius, or in the Alternative, Motion to Compel that Celsius be Directed to Issue Bankruptcy Proceeds to Australian Corporate Creditors Only in USD Wire Transfers Rather than Checks, ect. [sic] [Docket No. 6892].

Objection Deadline: The deadline to object was July 22, 2024, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- (1) Post-Effective Date Debtors' (I) Supplemental Objection to the Faller Creditors' Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Objection to the Ad Hoc Group of Australian Corporate Creditors' Motion for a Liquid Cryptocurrency Distribution [Docket No. 7535].

Related Documents:

- (1) Declaration of Christopher Ferraro, Plan Administrator, in Support of Post-Effective Date Debtors' (I) Supplemental Objection to the Faller Creditors' Motion Seeking Entry of an Order Approving Further Distribution Under the Plan of Reorganization for the Faller Creditors and (II) Objection to the Ad Hoc Group of Australian Corporate Creditors' Motion for a Liquid Cryptocurrency Distribution [Docket No. 7536].

Joinders:

- (1) Joinder of the Trustee for Simba Discretionary Trust in Support of the Australian Corporate Creditor Motion [Docket No. 7571].
- (2) The Trustee of Mind & Body Wellness Trust Joins in Support of the Australian Corporate Creditor Motion and Fair and Equitable Distribution for All Corporate Creditors of the Same Class [Docket No. 7608].

Status: The Joint Motion for Supplemental Corporate Creditor Distribution proposes to resolve this matter.

V. Fee Applications.

1. **RSM Final Fee Application.** Final Fee Application of RSM US LLP for Allowance of Compensation and Reimbursement of Expenses for Certain Audit Services for the Final Period from August 1, 2023 Through November 9, 2023 [Docket No. 4264].

Objection Deadline: The deadline to object was February 7, 2024 at 12:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- (1) Fee Examiner's Summary Report on Fourth Interim and Final Fee Applications Scheduled for Uncontested Hearing on May 7, 2024 [Docket No. 4835].
- (2) Fee Examiner's Summary Report on Fourth Interim and Final Fee Applications Scheduled for Uncontested Hearing on June 27, 2024 [Docket No. 4970].
- (3) Stipulation and (Proposed) Order Regarding Final Fee Application of RSM US LLP [Docket No. 7523].
- (4) Stipulation and Order Regarding Final Fee Application of RSM US LLP [Docket No. 7524].
- (5) Amended and Restated Fee Application of RSM US LLP for a Final Allowance of Compensation and Reimbursement of Expenses for the Period From August 1, 2023 Through November 9, 2023 [Docket No. 7555].
- (6) Fee Examiner's Report and Recommendation Regarding Final Fee Application of RSM US LLP [Docket No. 7663].

Status: This matter is going forward.

[Remainder of page left intentionally blank.]

New York, New York
Dated: September 11, 2024

/s/ Joshua A. Sussberg

KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C.
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: joshua.sussberg@kirkland.com

- and -

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)
Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)
Christopher S. Koenig
Dan Latona (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: patrick.nash@kirkland.com
ross.kwasteniet@kirkland.com
chris.koenig@kirkland.com
dan.latona@kirkland.com

Counsel to the Post-Effective Date Debtors